



ANNUAL CIVIL RIGHTS TRAINING CHECKLIST FOR FRONTLINE STAFF/VOLUNTEERS/MANAGERS WHO ASSIST WITH TEFAP AND/OR CSFP

Please initial each bullet indicating that you have read and understood the content.

Section 1 - All Frontline Staff, Volunteers and Program Managers

- ☐ **Goals of civil rights** – fairness and equality of treatment and benefit delivery.
- ☐ **Types of discrimination** – Disparate treatment (treating a person differently from others); disparate impact (neutral rule impacts disproportionately on a group); reprisal/retaliation against complainant or his/her family, associates or others involved in complaint process or exercising civil rights.
- ☐ **Exceptions** – Congress can establish a program that is intended for certain groups of people and it is not discrimination to exclude those who do not meet eligibility requirements. For example, Congress can set age limits and this is not age discrimination for those who do not meet the age limits.
- ☐ **When do civil rights rules apply?** Federal civil rights rules apply any time there is any federal financial assistance. Federal financial assistance is receiving anything of value from the federal government – not just cash. It can include commodities, training, equipment, and other goods and services.
- ☐ **Legal prohibitions** – The policy of the WSDA Food Assistance Programs is to not discriminate against any class of persons in all services to clients. WSDA expects local programs to provide food to every person who seeks it, regardless of their status as a member of any class of persons. Any agency that directly or through a subcontractor is found after investigation to be discriminating against any class of people is at risk of termination from the program.

Food Safety & Consumer Services Division

*Defending the safety, integrity,
and availability of our food system.*

— **Federal Protected Classes** – Under federal law, specific classes of persons have a right to file a federal discrimination complaint with USDA if a local program using federal resources discriminates against them. Under federal law for the purposes of TEFAP and CSFP, the protected classes under which a client may file a discrimination complaint are race, color, national origin, sex, religious creed, disability, age, and political beliefs.

— **Washington Protected Classes** – Washington's nondiscrimination law includes the above protected classes as well as familial or parental status, marital status, political beliefs, creed, honorably discharged veteran or military status, sexual orientation/gender identity, use of a trained guide dog or service animal by a person with a disability, all or part of the individual's income is derived from any public assistance program, and reprisals.

— **Filing a Federal Civil Rights Complaint** – Advise people who allege discrimination based on one or more of the federal protected classes listed above on how to file a complaint by using the USDA Program Discrimination Complaint Form, (AD-8027) found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue SW
Washington, DC 20250-9410

Fax: (202) 690-7442; or

Email: program.intake@usda.gov.

USDA is an equal opportunity provider.

Almost all complaints are investigated by staff from the FNS field offices located in the state where the complaint originated.

— **Filing a State Discrimination Complaint** – Advise people who allege discrimination based on one or more of the state protected classes of people listed above that they may file a discrimination complaint with the Washington State Human Rights Commission. A description of the processes and a link to the forms are online and can be found at: <http://www.hum.wa.gov/complaintProcess/Index.html>

- **Additional Nondiscrimination Laws** – In addition to federal and state law, local programs may be subject to city or county nondiscrimination laws. Programs should check with their local government to confirm whether there are any local nondiscrimination laws. Agencies must comply with local laws.
- **Maintain confidentiality** – Do not talk about or make remarks about people receiving benefits. Never share information with others even if your intention is to help recipients with other services or assistance. Refer all requests for information about recipients from other agencies or programs to managers. Always get a recipient's written approval to share their information or make referrals on their behalf. What happens at the site stays at the site. The exception, of course, is any illegal or inappropriate behavior that should be reported to State or Federal officials.
- **Cooperate with State and Federal reviewers** – USDA and WA State Department of Agriculture are required to conduct periodic compliance reviews to help ensure compliance with program and civil rights rules.
- **Local Agencies must take action** – Local Agencies must accept and process all complaints (program, vendor or civil rights) received by the agency regardless of whether the complaints are written, verbal, or anonymous. Details for filing complaints are outlined in Section XV of the FNS 113-1 document. The complaint may be sent to the address above for recipients' filings or sent directly to:

Food and Nutrition Service Civil Rights Division (CRD)
3103 Park Center Drive, Suite 808
Alexandria, VA 22302
- **Corrective Action for Non-Complying Agencies** – If there is non-compliance with federal nondiscrimination law by a contractor or subcontractor; the state will file a report with the FNS Regional Administrator at USDA and will immediately seek correction of the violation by voluntary compliance. Failure of a contractor or subcontractor to correct any non-compliance with civil rights rules can lead to legal actions and termination from the Federal programs TEFAP and CSFP, as applicable.
- **Services for People with Disabilities** – Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider. Almost all

complaints are investigated by staff from the FNS field offices located in the state where the complaint originated.

_____ ***Sexual harassment is prohibited*** – Do not engage in or tolerate unwanted or unwelcomed sexual behavior, including jokes, touching, request for sexual favors, etc. Report all violations to your management, State or Federal officials.

_____ ***Response to Conflicts/Emergencies*** – If conflict occurs, remain calm. Call for assistance immediately if you feel threatened. Consider mediation or a third party to help resolve the situation if there is no immediate resolution.

_____ ***Treat all people with dignity and respect.*** Follow the golden rule and treat people the way you would like to be treated.

Section 2 - All Program Managers Responsible for Client Services Must:

_____ ***Conduct Outreach*** - to ensure that potential eligible persons and households are aware of the program and have information on how to apply. Provide suggestions about how to make more people aware of the program and how to receive benefits. Agencies must also give recipients information on what constitutes discrimination and how to file discrimination complaints at the time they apply for services.

_____ ***Make sure people with disabilities are accommodated.*** Sites should be accessible to people with all types of disabilities. (e.g. mobility, sight, hearing, etc.) or alternate means of service delivery should be advertised and provided.

_____ ***Provide other language assistance*** - to persons with limited English proficiency (LEP) who could not gain meaningful access to the program without other language assistance. Assistance must always be provided to LEP households, but the level or type of assistance can vary based on circumstances.

_____ ***Display the USDA “And Justice for All” non-discrimination poster*** - in a place where it can be seen by all who visit the premises.

_____ **Include the USDA non-discrimination statement** - on all materials that mention USDA funded programs and make sure the statement is also on web sites that mention USDA funded programs.

_____ **Make sure that all civil rights and nondiscrimination complaints** - are properly documented and reported. Your agency must inform WSDA's Food Assistance Program Manager of any complaints and violations.

_____ **Collect racial/ethnic data** - in CSFP and use it to target outreach and to assess participation.

_____ **Make sure individual data is kept confidential and secure.**

_____ **Additional information can be found in FNS Instruction 113-1** - regarding Civil Rights Compliance and Enforcement.

I have read and understood the content of this civil rights training. I agree to follow the civil rights instructions as listed above.

on _____

Name

Date